

1 WILLIAM J. PORTANOVA, SBN: 106193
2 Portanova & Associates
3 400 Capitol Mall, Suite 1100
Sacramento, CA 95814
Telephone: (916) 444-7900
Fax: (916) 444-7998
4 Wjp@Portanova.com

5 Attorney for Defendant
ROBERT KIRBY WELLS
6
7
8

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 ROBERT KIRBY WELLS,
15 Defendant.

Case No. 2:21-cr-0164-WBS

**STIPULATION TO CONTINUE STATUS
CONFERENCE AND EXCLUDE TIME
UNDER THE SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

**DATE: June 21, 2022
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb**

17
18 Defendant, ROBERT KIRBY WELLS, by and through his
19 undersigned counsel, and Plaintiff United States of America, by
20 and through its undersigned counsel, hereby stipulate as follows:

21 1. By previous order, this matter was set for status on
22 June 21, 2022, and time was excluded through June 21, 2022
23 pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4).

24 2. By this stipulation, the parties jointly request that
25 the Court continue the status conference to August 22, 2022, at
9:00 a.m. The parties further request that the Court exclude
time under the Speedy Trial Act from June 21, 2022, through
August 22, 2022, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv)

1 (Local Code T4).

2 3. The parties stipulate, and request the Court find the
3 following:

4 a) Defense counsel has received 131,749 pages of
5 discovery that include, among other things, investigative
6 reports, financial records, and other business records, as well
7 as the contents of two email accounts.

8 b) Counsel for defendant, ROBERT KIRBY WELLS,
9 believes that failure to grant the above-requested continuance
10 would deny counsel the reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence.

12 c) The government does not object to the continuance.

13 d) Based on the above stated findings, the ends of
14 justice served by continuing the case outweigh the interest of
15 the public and the defendant in a trial within the original date
16 prescribed by the Speedy Trial Act.

17 e) For the purpose of computing time under the Speedy
18 Trial Act, 18 U.S.C. § 3161, et. seq., within which trial must
19 commence, the time period of June 21, 2022, up to and including,
20 August 22, 2022, is deemed excludable under 18 U.S.C. §
21 3161(h) (7) (A), (B) (iv) (Local Code T4), as it results from a
22 continuance granted by the Court at the defendant's request on
23 the basis of the Court's finding that the ends of justice served
24 by taking such action outweigh the best interest of the public
25 and defendant in a speedy trial.

26 ////

27 ////

28 ////

1 IT IS SO STIPULATED.
2
3

DATED: June 15, 2022

Respectfully submitted,

6 */s/ William J. Portanova*
7 WILLIAM J. PORTANOVA

8 Attorney for Defendant
9 ROBERT KIRBY WELLS

10 DATED: June 15, 2022

PHILLIP A. TALBERT
11 United States Attorney

12 */s/ Matthew Thuesen*
13 MATTHEW THUESEN
14 Assistant United States Attorney

15 **FINDINGS AND ORDER**

16 IT IS SO FOUND AND ORDERED.

17 Dated: June 15, 2022


18 WILLIAM B. SHUBB
19 UNITED STATES DISTRICT JUDGE

20
21
22
23
24
25
26
27
28